

COMMONWEALTH of VIRGINIA

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February 13, 2004

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Washington, D.C. 20554

Re: In the matter of Proposed Rulemaking regarding the Universal
Service Support Mechanism for Rural Healthcare
WC Docket No. 03-288

Dear Secretary Dortch:

Please consider this my comment in support of a broader definition of "rural" as applied to the Rural Health Support Mechanism, endorsing the Comments of the Office of Telemedicine of the University of Virginia Health System filed by Karen S. Rheuban, M.D., and Eugene Sullivan, M.S. This comment is submitted pursuant to the solicitation for comments published in the Federal Registrar on December 24, 2003 (68 Fed. Reg. 74538) and due by February 23, 2004.

The FCC recently took an important first step in this matter by voted favorably and unanimously in the matter of the Rural Health Support Mechanism (WC Docket No. 02-60). This action recognized that specialized care is often difficult to find in rural communities and that the key to diagnosing and treating a patient is the knowledge of a health care specialist. The integration of the health care provided network and the use of telemedicine is a major step in bringing health benefits to rural communities. I commend the Commission for taking this step.

The issue now before the Commission is the definition of a "rural area" as currently implemented by the Rural Health Care Corporation of the Universal Services Administrative Corporation. This is a critical definition. The current definition of "rural" is overly restrictive – obsolete in many ways – and could effectively circumvent the positive action taken by the Commission regarding telemedicine. For instance, my home county, Scott County, Virginia, has been designated a health professional shortage area by the Bureau of Primary Health Care, has no hospital, and has a population density of 44 persons per square mile. Yet it is designated a metropolitan statistical area due to its proximity to Kingsport, Tennessee – a proximity measured

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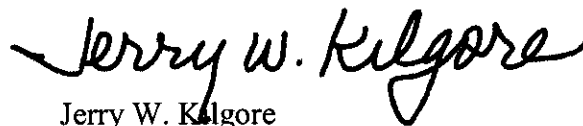
by how the crow flies and most assuredly not by the roads through the mountainous terrain that dominates the region. Under current rules, the community health center located in the county is ineligible to receive discounted broadband telecommunications through the Rural Health Care Support Mechanism. The comment submitted by Dr. Rheuban details similar situations where a definition is subverting the mission of telemedicine.

There are several options available to the Commission to solve this untended problem. I encourage the Commission to consider accepting the definition of rural for the USDA Rural Broadband Grant and Loan Program in the 2004 Consolidated Appropriations Bill. This is a definition that is not only practical – defining “rural” as any area that is not contained in an incorporated city or town with a population in excess of 20,000 – but it shows the intent of Congress to expand access to broadband telecommunications services. This definition will embrace areas unquestionably rural in character.

Telemedicine has already saved lives. The potential to save even more lives was increased by the actions of the Commission. By adjusting the definition of “rural” this life-saving potential will not be thwarted. Dr. Rheuban has fashioned recommendations to solve this problem and I endorse them to the Commission.

I commend the Commission for initiating this rulemaking and respectfully request that it accept this comment for consideration.

Very truly yours,

A handwritten signature in black ink that reads "Jerry W. Kilgore". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Jerry W. Kilgore